Amendment and Response
Applicant: Travis J. Parry et al.
Serial No.: 10/037,685
Filed: October 24, 2001
Docket No.: 10006365-1
Title: NETWORK SYSTEM AND METHOD FOR AUTOMATIC PRINTING OF DIGITAL
PHOTOGRAPHS

REMARKS

The following remarks are made in response to the Office Action mailed February 2, 2005. Claims 1-28 were rejected. Claim 22 was objected to. With this Response, claims 1, 5-6, 11-23, and 28 have been amended. Claims 1-28 remain pending in the application and are presented for reconsideration and allowance.

Claim Objections

Applicant has amended claim 22 to end with a period, thereby alleviating the objection based on informalities.

Claim Rejections under 35 U.S.C. § 102

In the Office Action, claims 1-28 were rejected under 35 U.S.C. 102(e) as being anticipated by Kakigi et al. U.S. Patent Publication No. US 2002/0054350 (herein Kakigi).

Applicant does not admit that Kakigi is prior art and reserves the option of swearing behind Kakigi.

In Applicant's amended independent claim 1, a method of automatically printing an image comprises, among other things, registering a user printer with the network site to make at least one automatic image request from the user printer to the network site for printing at least one image at the user printer. In other words, in Applicant's claimed method one entity (the user printer) makes an at least one automatic image request and also will be printing at least one image in association with the request. A third entity, a sender that is independent of both the user printer and the network site, posts the at least one image to the network site.

Kakigi discloses a method of printing in which a print service, including a server 510 and printer 102, prints images at printer 102 that are obtained from a host 500. Printer 102 and print service server 510 ("222.33.4.111") are configured together in a print service LAN, with server 510 communicating with host 500 via internet. See Kakigi paragraphs 478-487, and Figures 37-38.

Applicant's claimed method is the opposite from Kakigi in which a first entity, a host 500, has an image and requests printing of the image at a second entity, a print service, that is different than and remote from the first entity (e.g., host 500), wherein the print service

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includes both a server 510 and printer 102. The printer 102 does not make at least one automatic image request from a network site, as does the user printer claimed by Applicant.

Kakigi also fails to disclose any entity that corresponds to a sender that posts images to a network site wherein the posted images are later printed at user printer, with the sender being independent of a user printer and independent of a network site, as claimed by Applicant. See Kakigi paragraphs 478-487 and Figures 37-38.

In further contrast to Kakigi, Applicant's claimed method also comprises arranging the user printer to be independent of and separate from the network site. In Kakigi, printer 102 is not independent of, and separate from server 510 (which is accessible via the internet), as both printer 102 and server 510 operate together within a print service LAN. See Kakigi paragraphs 478-487 and Figures 37-38.

For these reasons, Kakigi does not disclose, teach or suggest Applicant's amended independent claim 1. Accordingly, Applicant's believe that independent claim 1 is allowable over Kakigi. Claims 2-20 are believed to be allowable as well based on their dependency from independent claim 1.

For substantially the same reasons as presented for patentability of claim 1, Kakigi fail to disclose Applicant's amended independent claim 28 which is directed to a computer readable medium having computer-executable instructions for performing a method of automated printing of an image at a user printer -- the method including substantially the same limitations as claim 1. For these reasons, Kakigi fails to teach or suggest amended independent claim 28, and therefore Applicant's amended independent claim 28 is patentable and allowable over Kakigi.

Applicant's amended independent claim 22 specifies a system for automated printing of an image at a user printer. The system comprises a user printer including an embedded web access mechanism and a printing system controller. The embedded web access mechanism is configured to enable direct automatic requesting and direct automatic capture to the user printer of at least one image that has been posted to a network site by a sender wherein the user printer is independent of and separate from both the sender and the network site. The system also comprises a user interface in communication with the user printer and

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configured to enable predefining a print criterion. The user printer is configured to automatically print the captured image at the user printer according to the print criterion.

In Applicant's claimed system, one entity (the user printer) automatically requests and automatically captures at least one image, via the embedded web access mechanism, and also will be printing the at least one image. The user printer is independent of and separate from a third entity, a sender, that posts the at least one image to the network site.

Kakigi discloses a configuration in which a print service, including a server 510 and printer 102, prints images at printer 102 that are obtained from a host 500. Printer 102 and print service server 510 ("222.33.4.111") are configured together in a print service LAN, with server 510 communicating with host 500 via internet. See Kakigi paragraphs 478-487, and Figures 37-38.

Applicant's claimed system is the opposite from Kakigi in which a first entity, a host 500, has an image and requests printing of the image at a second entity, a print service, that is different than and remote from the first entity (e.g., host 500), wherein the print service includes both a server 510 and printer 102. The printer 102 does not request at least one image from a network site, as does the user printer claimed by Applicant.

In further contrast to Kakigi, Applicant's claimed system also comprises the user printer to be independent of and separate from the network site at which the at least one image is requested and captured. In Kakigi, printer 102 is not independent of, and separate from server 510 (which is accessible via the internet), as both printer 102 and server 510 operate together within a print service LAN. See Kakigi paragraphs 478-487 and Figures 37-38.

Finally, the printer 102 in Kakigi fails to disclose an embedded web access mechanism that is configured to enable direct automatic requesting and direct automatic capture of the at least one image from a network site to the user printer, as claimed by Applicant.

For these reasons, Kakigi does not disclose, teach or suggest Applicant's amended independent claim 22. Accordingly, Applicant's believe that independent claim 22 is allowable over Kakigi. Claims 23-27 are believed to be allowable as well based on their dependency from independent claim 22.

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In light of the above, Applicants respectfully request withdrawal of the rejection of claims 1-28 based on Kakigi under 35 U.S.C. §102(e).

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-28 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-28 is respectfully requested.

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The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either Gregg W. Wisdom at Telephone No. (360) 212-8052, Facsimile No. (360) 212-3060 or Steven E. Dicke at Telephone No. (612) 573-2002, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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